

April 1, 2025

Mr. John R. Fouts
2904 Sitka Drive L29
Louisville, KY 40299

via email: FOUTS.JOHN@GMAIL.COM

RE: USPS OIG FOIA No. 2025-IGFP-00406

Dear Mr. Fouts:

This responds to your March 13 Freedom of Information Act (FOIA) to the U.S. Postal Service Office of Inspector General (OIG) request for records related to:

- All records, internal notes, and communication logs regarding RECORD 51727 COMPLAINT 75586, filed on 2025-03-14, ALSO COMPLAINT 75533. Specifically, you requested:
 - The assigned investigator(s) and their contact details.
 - Status updates on the complaint, including any actions taken.
 - All internal correspondence, emails, memos, and communications related to this complaint.
 - Any and all available unaltered video and/or audio recordings associated with the complaint.
 - All internal notes, including handwritten documents, tracking logs, and facsimiles.
 - Postal Service facility video taken in lobbies, building perimeter, and parking lots
 - All classified, restricted, or protected materials related to this complaint, with the legal basis for any classification under FOIA exemptions.
- If any portion of the requested records is withheld or redacted, I demand a Vaughn Index, which must detail:
 - The specific legal exemption being claimed for each redaction or withheld document.
 - A description of the withheld material sufficient to assess its nature without revealing protected content.
 - A clear justification for non-disclosure for each instance of withholding.

We cannot grant your request for expedited processing as it does not meet the criteria established within our agency guidelines. We provide for expedited processing when requesters demonstrate a “compelling need.” You can demonstrate compelling need in one of two ways: (1) establish your failure to obtain the records quickly could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or, (2) if you are primarily engaged in dissemination of information, and demonstrate that an “urgency to inform the public concerning actual or alleged Federal Government activity” exists.

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The FOIA is about records we have in our possession. The FOIA provides only for disclosing federal agency records and does not require government agencies to answer questions, conduct unreasonably burdensome research, or create records.¹ FOIA does not let you appeal any investigative decisions or ask us to research aside from searching for responsive records.

The FOIA sheds light on an agency's performance of its statutory duties. The FOIA provides that any person has a right, enforceable in court, to obtain access to federal agency records, unless such records (or portions of them) are protected from public disclosure by one of nine exemptions or by one of three special law enforcement record exclusions.

The U.S. Postal Service comprises the Postal Service, the U.S. Postal Inspection Service (USPIS); the Postal Rate Commission (PRC); and the OIG; each with its own area of responsibility and individual FOIA office. This response is on behalf of the OIG only.

The Postal Service Records Office establishes procedures to ensure Postal Service records management practices comply with both the FOIA and Privacy Act. The Records Office is the designated custodian for non-law enforcement Postal Service records; including but not limited to contracting and employment/personnel records. Additional information regarding the Postal Service FOIA program can be found at <https://about.usps.com/who-we-are/foia/welcome.htm>.

The USPIS is the law enforcement, crime prevention, and security arm of USPS, and is the designated custodian for postal records relating to Postal Service law enforcement issues. The USPIS is a federal law enforcement entity charged with enforcing the Federal statutes involving mail fraud, illegal drugs, external mail theft, and other postal crimes, including revenue deficiencies, and are responsible for safety and security of all postal employees and facilities. Additional information regarding the USPIS FOIA program can be found at [Terms of Service and Legal | USPIS](#).

The OIG is an independent agency, created in 1997, with oversight authority over audits and investigations of Postal and Inspection Service fraud, abuse, and misconduct. The OIG's mission is to prevent, detect, and report fraud, theft, and misconduct, and promote efficiency in the operation of the Postal Service.

While the OIG has "oversight authority" for activities of the above referenced entities, the OIG is a separate agency and does not have management authority over the daily operations of either the Postal Service or USPIS. In addition, the OIG FOIA office does not have access to records maintained by the Postal Service or USPIS and cannot direct either FOIA office to release records under their control. Likewise, the OIG Deputy General Counsel has no authority to review FOIA determinations issued by the Postal Service or USPIS.

Using your name and email address, we conducted multiple searches of the electronic database maintained by the OIG Hotline and Office of Investigations. We located two complaint files, totaling 75 pages, responsive to your request. We reviewed all 75 pages in accordance with the FOIA and considered the foreseeable harm standard in applying any applicable FOIA exemptions.

¹ The Supreme Court has ruled that "the FOIA imposes no duty on the agency to create records." *Forsham v. Harris*, 445 U.S. 169, 186 (1980) (citing *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 161–62 (1975)).

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We determined all 75 pages are appropriate for release without redaction; copies are attached.

As you can see from the released pages, the Hotline reviewed complaint 250314HAL34306 and determined the issues raised fall under the jurisdiction of the Postal Service and referred your complaint to the attention of your local USPS Consumer and Industry Affairs Office for any action deemed necessary.

You may wish to direct a copy of your request to the Postal Service, if you have not already done so, as it would be the more likely repository for additional records, if any exist. Written requests for the Postal Service are accepted online at <https://pfoiopal.usps.com/>, via email at foia12@usps.gov, via phone at (202) 268-2608, via fax at (202) 268-5353, or in writing at:

Manager Records Office
U.S. Postal Service
475 L'Enfant Plaza SW, Room 1P830
Washington, DC 20260-1101

The Hotline reviewed complaint file 250314HZF34355, and determined it to be a duplicate of the above referenced complaint and closed the file with no further action.

Neither the FOIA nor the Inspector General Act provides FOIA requestors the authority to appeal an OIG's decision to either close a complaint file or proceed with the investigative process.

If you have questions regarding the processing of this request, please submit them in writing to foia@uspoig.gov. We will provide you an answer within two working days. You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with our action on your FOIA request, you may file an administrative appeal. To do so, write to the attention of, Appeals Officer, 1735 N. Lynn Street, Arlington, VA 22209-2020, within 90 days of the date of this letter. We accept written appeals via U.S. Mail; e-mail to FOIA@uspoig.gov; or fax to 703-248-4626. Include the initial request number (e.g., 20XX-IGXX-00XXXX) and the date of this letter. Explain what specific action the FOIA Office took that you are appealing. Mark all correspondence "Freedom of Information Act Appeal."

Sincerely,

Tanya Hefley
USPS OIG FOIA Officer